IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUMMONS FOR JUDGMENT NO.175 OF 2005
IN
SUMMARY SUIT NO.3195 OF 2004

Advance Metal Powder ....Plaintiff
V/s.
Isi Bars Ltd. ....Defendant

Mr.K.D. Shah for the Plaintiff.
None for the Defendant.

CORAM : S.J. VAZIFDAR, J.
DATED : 14TH NOVEMBER, 2005.

P.C. :

1. The suit is filed to recover the price of the goods sold and delivered by the Plaintiff to the Defendants on the terms and conditions contained in and/or evidenced by five suit invoices. The goods have been received by the Defendant.

2. There is no affidavit in reply. There is no reply to the Plaintiff's notice of demand. There is no defence to the suit. There is however, no provision in the copy of the invoice annexed to the plaint for interest. The interest was demanded only by the Plaintiff's advocate notice dated 14.1.2004.

3. The Plaintiff has filed the compilation of the original documents. The same is taken on record and marked Exhibit "A" collectively.

4. In the circumstances, the Summons for Judgment is made absolute and the suit is decreed in the sum of Rs.3,77,150/- together with interest at the rate of 12% p.a. from 14.1.2004 till payment and/or realization and costs.

. Refund as per rules.